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March 18, 2002

Commissioner of Patents
Box: Petitions
Washington, D.C. 20231-0001

Re: U.S. Reissue Patent Application: SUPPORT AND UTILITY BELT
Serial No. 09/641,378
Our Ref: 074309.000014

Dear Sir:

Enclosed are the following documents:

1. Petition to Waive Rules Under 1.183 and Accept Drawings;
2. Two sheets of drawings;
3. Transmittal letter in duplicate; and
4. Postcard.

The Commissioner is authorized to charge the filing fee of \$130.00 to Deposit Account No. 50-0259 of Bracewell & Patterson, L.L.P. A duplicate copy of this letter is enclosed for this purpose.

Very truly yours,

Bracewell & Patterson, L.L.P.

Mark A. Tidwell

MAT/dr
Enclosure

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Commissioner of Patents
Box: DAC
Washington, D.C. 20231

Re: U.S. Reissue Patent Application: SUPPORT AND UTILITY BELT
Serial No. 09/641,378
Our Ref: 074309.000014

Dear Sir:

Enclosed are the following documents:

1. Response to Notice of Incomplete Application Mailed on 01/18/02 with two sheets of drawings;
2. Copy of Offer to Surrender Patent and Declaration for Reissue Patent of John Schiek filed on January 18, 2000;
3. Copy of Petition to Waive Rules Under 1.183 and Accept Drawings filed with the Patent Office under separate cover on March 18, 2002;
4. Transmittal letter in duplicate; and
5. Postcard.

The Commissioner is authorized to charge any required filing fees to Deposit Account No. 50-0259 of Bracewell & Patterson, L.L.P. A duplicate copy of this letter is enclosed for this purpose.

Very truly yours,

Bracewell & Patterson, L.L.P.

Mark A. Tidwell

MAT/dr
Enclosure

Houston\1400841.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: §
§
SCHIEK SPORTS, INC. §
§
Serial No.: 09/641,378 §
§
Filed: August 18, 2000 §
§
For: SUPPORT AND UTILITY BELT §

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**RESPONSE TO NOTICE OF INCOMPLETE APPLICATION
MAILED ON 01/18/02**

In the Notice of Incomplete Application mailed on January 18, 2002, the Office raised three issues: 1) the lack of drawings in the original reissue application; 2) the failure of the inventor, James W. Schiek, Sr., to sign the reissue application; and 3) the missing consent of the assignee.

Enclosed herewith is a copy of a Petition under 37 CFR 1.183 requesting that the Rule requiring the submission of drawings be waived. Notwithstanding the foregoing Petition, Applicant submits herewith a copy of the reissue drawings. These are the same drawings that appear in the issued patent and that are on file with the Patent Office in the file wrapper of the issued patent. No changes have been made to the drawings.

As to the refusal of James W. Schiek Sr. to execute the declaration, the original Declaration for Reissue included an identification of the last known residence of the inventor and a Declaration under 37 CFR 1.47, specifically in paragraphs 1, 5 and 6 of the Reissue Declaration. These paragraphs further satisfy the requirement for a statement under 37 CFR 3.73(b) establishing ownership of the original patent and providing documentary evidence of such ownership.

For these reasons, the Office is respectfully requested to withdraw the outstanding issued raised in the Notice of Incomplete Application and pass the application on for examination.

The Commissioner is authorized to charge the deposit account for any fees arising herefrom, which account is identified as Bracewell & Patterson Deposit Account No. 50-0259.

Respectfully submitted,



Mark A. Tidwell
Registration No. 37,456

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CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence and its attachments are being deposited with the United States Postal Service as First Class U.S. Mail in an envelope on the date indicated, addressed to the Assistant Commissioner for Patents, Box: DAC, Washington, D.C. 20231.

By:  Date: 3-18-02
Dora Rios